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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

KHANUM GUKASYAN,

Plaintiff,

v.

GMAC MORTGAGE, LLC, et al.,

Defendants.

2:10-CV-674 JCM (RJJ)

ORDER

Presently before this court is defendant Mortgage Electronic Registration System, Inc.'s motion to dismiss pursuant to Federal Rule of Civil Procedure 12(b)(6). (Doc. #21). On July 20, 2010, the court clerk issued an order (doc. #22) notifying the plaintiff that her response was due within fourteen days. Pursuant to Local Rule 7-2(b), an opposing party's failure to file a timely response to any motion constitutes the party's consent to the granting of the motion.

Failure to follow a district court's local rule is proper grounds for dismissal. *U.S. v. Warren*, 601 F.2d 471, 474 (9th Cir. 1979). However, prior to dismissing the action, the district court is required to weigh several factors: "(1) the public's interest in expeditious resolution of litigation; (2) the court's need to manage its docket; (3) the risk of prejudice to the defendants; (4) the public policy favoring disposition of cases of their merits; and (5) the availability of less drastic sanctions." *Ghazali v. Moran*, 46 F.3d 52, 53 (9th Cir. 1995) (citing *Henderson v. Duncan*, 779 F.2d 1421, 1423 (9th Cir. 1986)).

A review of the file indicates that as of September 3, 2010, the plaintiff has failed to respond to defendants' motion to dismiss. Weighing the factors identified in *Ghazali*, the court

1 finds dismissal appropriate.

2 Accordingly,

3 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that this action is
4 dismissed as to defendant Mortgage Electronic Registration System, Inc. for failure of the
5 plaintiff to file a timely response pursuant to Local Rule 7-2(b) and defendant Mortgage
6 Electronic Registration System, Inc.'s motion to dismiss (doc. #21) is GRANTED.

7 DATED September 15, 2010.

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10 UNITED STATES DISTRICT JUDGE